REMARKS/ARGUMENTS

Introduction

The Final Action dated January 7, 2004 (Paper No. 4) (hereinafter "Final Action") rejected claims 1 – 24 under 35 U.S.C. § 102(e). Prior to the continued examination on the merits, this paper amends claims 1, 13, 20, and 24 to more clearly claim the present invention. Support for these amendments may be found at page 13 lines 10 – 24 of the Application. No new matter has been added.

Arguments

The Final Action rejected claims 1 – 24 as anticipated by Shambroom, U.S. Patent No. 5,923,756 (hereinafter *Shambroom*). The Applicants respectfully submit, however, that *Shambroom* does not teach every element of the rejected claims, and therefore, cannot be anticipatory. *See* M.P.E.P. 2131.

Claim 1 recites "generating a data entry related to the progress of said data operative transaction." Although the rejection is unclear, it appears that the Final Action (as well as previous Office Actions) intends for the shell program, described by *Shambroom* at column 4 lines 6 – 9 as creating a temporary record of a user's identity, to be evidence that *Shambroom* teaches the data entry recited by claim 1. However, the data recorded by the shell program of *Shambroom* are recordations that restricted to merely identifying a requester, and thus, are not data entries related to the progress of a data operative transaction. Therefore, the Applicants respectfully assert that all of the limitations of claim 1 are not taught by *Shambroom*, and respectfully ask the Examiner to withdraw the rejection.

Claim 14 recites "storing information tracking the progress of said data operative transaction." The Final Action is again unclear, but appears to cite the shell program of *Shambroom* as again teaching this limitation. However, as *Shambroom* states at column 4 line 7, the identity and date recordations made by the cited shell program are limited to merely indicating the identity of the requester and the time of the request, thus *Shambroom* does not track the progress of a data operative transaction. Therefore, the Applicants

respectfully submit that *Shambroom* does not teach all of the limitations of claim 14, and respectfully ask the Examiner to withdraw the rejection.

Claim 20 recites "means for establishing a plurality of data entries related to the progress of said data operative transaction in a destination database." The Final Action appears to again rely on the shell program to teach this limitation. However, the identity of a requester and the date and time of that requester's connection with a network server are not data entries related to the progress of a data operative transaction. Therefore, the Applicants respectfully assert that *Shambroom* does not teach all the limitations of claim 20, and respectfully ask the Examiner to withdraw the rejection.

Claim 24 recites "establishing a plurality of data entries related to the progress of said memory device control transaction in a destination database." The Final Action opines that the Abstract of *Shambroom*, where *Shambroom* teaches using "client authenticating information" for use in accessing the destination server, teaches this limitation. However, the Applicants respectfully submit that "client-authenticating information" used to access a destination server is not "data entries related to the progress of a memory device control transaction." As the Abstract indicates, the information is limited to use in access. Therefore, the Applicants respectfully asserts that *Shambroom* does not teach all the limitations of claim 24, and respectfully ask the Examiner to withdraw the rejection.

The Final Action also rejects claims 2 – 13, 15 – 19, and 21 – 23 as being anticipated by *Shambroom*. However, claims 2 – 13 and 21 depend either directly or indirectly from claim 1, claims 15 – 19 depend either directly or indirectly from claim 14, and claim 23 depends directly from claim 20. Claims 2 – 13, 15 – 19, and 21 – 23 thus inherit all of the limitations of their respective base claim, and contain limitations not taught by *Shambroom*. Therefore, the Applicants respectfully ask the Examiner to withdraw the rejections of claims 2 – 13, 15 – 19, and 21 – 23 as well.
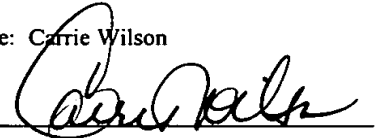
CONCLUSION

In view of the above, each of the presently pending claims in this application is believed to be in immediate condition for allowance. Accordingly, the Examiner is respectfully requested to pass this application to issue.

Applicant believes no fee is due with the Preliminary Amendment. However, if a fee is due, please charge our Deposit Account No. 08-2025, under Order No. 10992150-1 from which the undersigned is authorized to draw.

I hereby certify that this correspondence is being deposited with the U.S. Postal Service as Express Mail, Airbill No. EV482735903US, in an envelope addressed to: MS RCE, Commissioner for Patents, PO Box 1450, Alexandria, VA 22313-1450, on the date shown below.

Date of Deposit: April 2, 2004

Typed Name: Carrie Wilson

Signature: _____

Respectfully submitted,

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Date: April 2, 2004

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